



Linda S. Adams  
Secretary for  
Environmental Protection

# California Regional Water Quality Control Board Central Valley Region

Karl E. Longley, ScD, P.E., Chair  
415 Knollcrest Drive, Suite 100, Redding, California 96002  
(530) 224-4845 • Fax (530) 224-4857  
<http://www.waterboards.ca.gov/centralvalley>



Arnold Schwarzenegger  
Governor

10 September 2008

## CERTIFIED MAIL

7007 0220 0003 1934 8842

Mr. Greg Tyhurst  
Public Works Director  
City of Willows  
201 North Lassen Street  
Willows, CA 95988-2704

## CERTIFIED MAIL

7007 0220 0003 1934 8859

ECO Resources, Inc.  
P.O. Box 230  
Corning, CA 96021

### **ADMINISTRATIVE CIVIL LIABILITY COMPLAINT NO. R5-2008-0566, CITY OF WILLOWS AND ECO RESOURCES, INC., WILLOWS WASTEWATER TREATMENT PLANT, WILLOWS, GLENN COUNTY**

Enclosed is an Administrative Civil Liability Complaint (Complaint) issued pursuant to California Water Code (CWC) Section 13385, for violations of Waste Discharge Requirements Order Nos. 5-01-066 and R5-2006-0009 (NPDES No. CA0078034). The Complaint charges the City of Willows and ECO Resources, Inc. (hereafter referred to as "Dischargers") with administrative civil liability in the amount of **two hundred sixteen thousand dollars (\$216,000)**, representing the sum of the statutory Mandatory Minimum Penalties imposed for effluent limitation violations.

Pursuant to CWC section 13323, the Dischargers may either pay the civil liability and waive their right to a hearing before the Regional Water Board, or may contest the Complaint and exercise their right to a hearing. Because **\$7.3 million** has already been expended on a Compliance Project undertaken pursuant to CWC section 13385(k), the Regional Water Board considers payment satisfied. However, the Dischargers retain the right to a hearing before the Regional Water Board within 90 days of the service of the Complaint. If the Dischargers choose to waive this right and settle the Complaint without a hearing, then duly authorized agents must sign the enclosed waivers and submit them to this office by **10 October 2008**. Two waivers must be received in order for the hearing to be waived, one from the City of Willows and one from Eco Resources, Inc. The Regional Water Board will consider submittal of the waiver as a settlement of the Complaint. However, settlement will only be considered effective after a 30-day period, starting from the date of this Complaint, during which time interested parties may comment on this action by submitting information to this office, attention Greg Cash.

If the Regional Water Board does not receive a waiver within 30 days of the date of this Complaint (by **10 October 2008**), then a hearing will be scheduled for the **4/5 December 2008** Regional Water Board meeting in Rancho Cordova. Specific notice about this hearing and its procedures will be provided under separate cover.



Any comments or evidence concerning the enclosed Complaint must be submitted to this office, attention Greg Cash, no later than 5 p.m. on **10 October 2008**. This includes material submitted by the discharger to be considered at a hearing and material submitted by interested parties, including members of the public, who wish to comment on the proposed settlement. If the Regional Water Board does not hold a hearing on the matter, and the terms of the final settlement are not significantly different from those proposed in the enclosed Complaint, then there will not be additional opportunities for public comment on the proposed settlement. Written materials received after 5 p.m. on **10 October 2008** will not be accepted and will not be incorporated into the administrative record if doing so would prejudice any party.

If you have any questions regarding the above comments, please contact Greg Cash at (530) 224-3208 or the letterhead address listed above, or at [gdcash@waterboards.ca.gov](mailto:gdcash@waterboards.ca.gov).

Signed by  
JAMES C. PEDRI  
Assistant Executive Officer

GC: knr

Enclosures

cc+encl: Ms. Pamela Creedon, Central Valley Water Board, Rancho Cordova  
California Regional Water Quality Control Board, Central Valley Region, Regional  
Board Members, Rancho Cordova  
U.S. Environmental Protection Agency, Region IX, San Francisco  
California Environmental Protection Agency, Sacramento  
Department of Fish and Game, Region II, Rancho Cordova  
Department of Health Services, Office of Drinking Water, Redding  
Department of Water Resources, Northern District Office, Red Bluff  
Mr. Reed Sato, Office of Enforcement, SWRCB, Sacramento  
Mr. Patrick Pulupa, Office of Chief Counsel, SWRCB, Sacramento  
Ms. Val Conner, SWRCB, Division of Water Quality, Sacramento  
Glenn County Division of Environmental Health, Willows  
Mr. John Dobson, ECO Resources, Inc., Willows Wastewater Treatment Plant,  
Corning  
Ms. Kathy Stone, ECO Resources, Inc., Corning Wastewater Treatment Plant,  
Corning  
Mr. Bill Jennings, California Sportfishing Protection Alliance, Stockton

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